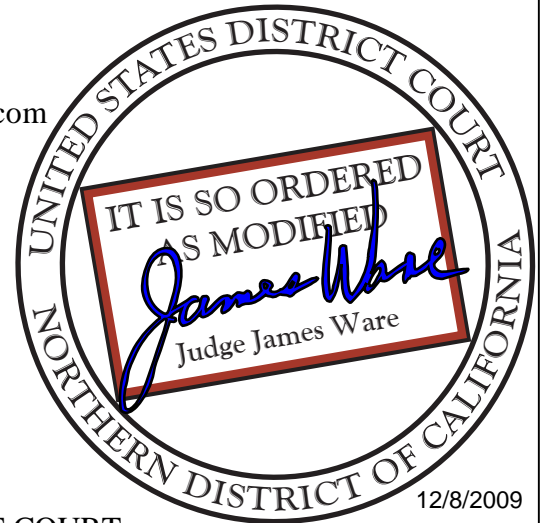


1 RAOUL D. KENNEDY (CA Bar No. 40892)  
RICHARD J. ZUROMSKI, JR. (CA Bar No. 227569)  
2 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP  
Four Embarcadero Center, Suite 3800  
3 San Francisco, California 94111-4144  
Telephone: (415) 984-6400  
4 Facsimile: (415) 984-2698  
Email: rkennedy@skadden.com; rzuromsk@skadden.com

5 ANTHONY L. MARKS (AZ Bar No. 012258)  
6 DAN L. BAGATELL (CA Bar No. 218879)  
PERKINS COIE BROWN & BAIN P.A.  
7 2901 North Central Avenue  
Post Office Box 400  
8 Phoenix, Arizona 85001-0400  
Telephone: (602) 351-8000  
9 Facsimile: (602) 648-7000  
Email: amarks@perkinscoie.com; dbagatell@perkinscoie.com

10 PHILIP A. LEIDER (CA Bar No. 229751)  
11 PERKINS COIE LLP  
Four Embarcadero Center, Suite 2400  
12 San Francisco, California 94111-4131  
Telephone: (415) 344-7000  
13 Facsimile: (415) 344-7050  
Email: pleider@perkinscoie.com

14 Attorneys for Defendant  
15 INTEL CORPORATION



16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN JOSE DIVISION

19 ) CASE NO.: 5:09-CV-02889-JW  
20 )  
21 ) IN RE INTEL LAPTOP BATTERY ) [Related to Case Nos.: 5:09-CV-03356,  
LITIGATION ) 5:09-CV-03926, 5:09-CV-04042]  
22 )  
23 ) STIPULATION AND [PROPOSED]  
24 ) ORDER REQUESTING CONTINUANCE  
25 ) OF CMC HEARING AND OTHER DATES  
26 )  
27 )  
28 )

1 WHEREAS, on November 16, 2009, the Court consolidated Mendez v. Intel  
2 Corporation, No. 09-CV-02889-JW; Daniel's Den Inc. v. Intel Corporation, No. 09-CV-03356-PVT;  
3 Glassman et al. v. Intel Corporation et al., No. 09-CV-03926-EMC; and Burns v. Intel Corporation  
4 et al., No. 09-CV-04042-HRL, ordering all future filings be under C 09-02889 JW and bear the  
5 caption: "In Re Intel Laptop Battery Litigation";

6 WHEREAS, on June 26, 2009, the Court ordered the Parties to file ADR  
7 Certifications on or before November 30, 2009,

8 WHEREAS, on November 16, 2009, the Court ordered Plaintiffs to file a  
9 Stipulation, subject to the Court's approval, nominating two law firms to serve as interim class co-  
10 counsel on or before November 30, 2009;

11 WHEREAS, on November 16, 2009, the Court ordered Plaintiffs to file an  
12 Amended Consolidated Complaint on or before December 14, 2009;

13 WHEREAS, on November 16, 2009, the Court ordered the Parties to file a Joint  
14 Case Management Statement on or before December 11, 2009;

15 WHEREAS, on November 16, 2009, the Court ordered the Parties to appear at a  
16 Case Management Conference on December 21, 2009;

17 WHEREAS, the dates set for the Parties to file ADR Certifications and a Joint Case  
18 Management Statement precede the date set for Plaintiffs to file an Amended Consolidated  
19 Complaint;

20 WHEREAS, counsel have conflicts, including holiday plans, on the date set for the  
21 Case Management Conference and the Parties have agreed to reschedule the hearing, subject to the  
22 Court's approval;

23 WHEREAS, counsel for all Parties are available for a hearing on January 4, 2010, at  
24 9:00 a.m.;

25 WHEREAS, Northern District Local Rule 6-2 allows the Parties to file a stipulation  
26 "requesting an order changing time that would affect the date of an event or deadline already fixed  
27 by Court order";

28

1 WHEREAS, there are no other events or deadlines fixed by the court that would be  
2 affected by the Parties' proposal;

3 NOW THEREFORE, the Parties stipulate as follows:

4 Subject to the Court's approval: (i) the Case Management Conference currently  
5 scheduled for December 21, 2009, shall be held on **February 8, 2010 at 10:00 AM**; (ii) the Joint Case  
6 Management Statement currently due on or before December 11, 2009 shall be filed on or before  
7 **January 29, 2010**, and; (iii) the ADR Certifications currently due November 30, 2009 shall be  
8 filed on or before **January 20, 2010**. All other scheduled dates will remain the same.

9 IT IS SO STIPULATED.

10 DATED: November 24, 2009 GIRARD GIBBS LLP

11 By: /s/ Geoffrey A. Munroe  
12 Geoffrey A. Munroe

13 Attorneys for Plaintiff  
14 ESMERALDA MENDEZ

15 DATED: November 24, 2009 COUGHLIN STOIA GELLER RUDMAN & ROBBINS LLP

16 By: /s/ Shawn A. Williams  
17 Shawn A. Williams

18 Attorneys for Plaintiff  
19 DANIEL'S DEN INC.

20 DATED: November 24, 2009 KAPLAN FOX & KILSHEIMER LLP

21 By: /s/ Linda M. Fong  
22 Linda M. Fong

23 Attorneys for Plaintiffs  
24 AARON GLASSMAN, DESSERT FUNDERBURK  
25 and VALENTINE ANDERSON

26 DATED: November 24, 2009 BONNETT, FAIRBOURN, FRIEDMAN & BALINT, P.C.

27 By: /s/ Andrew S. Friedman  
28 Andrew S. Friedman

Attorneys for Plaintiff  
EDWARD BURNS

1 DATED: November 24, 2009 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

2  
3 By: /s/ Raoul D. Kennedy  
Raoul D. Kennedy

4 Attorneys for Defendant  
INTEL CORPORATION

5 DATED: November 24, 2009 NARANCIC & KATZMAN, PC

6  
7 By: /s/ Perry J. Narancic  
Perry J. Narancic

8 Attorneys for Defendant  
9 BUSINESS APPLICATIONS  
10 PERFORMANCE CORPORATION

11  
12 **ORDER**

13  
14 PURSUANT TO STIPULATION, IT IS SO ORDERED:AS MODIFIED ABOVE.

15  
16  
17 DATED: December 8, 2009

18   
19 THE HONORABLE JAMES WARE